

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

SALVATORE SPINNATO, #272-280 \*

Petitioner \*

v. \* CIVIL ACTION NO. JFM-02-4213

J.P. GALLEY, WARDEN et al. \*

Respondents \*

\* \* \* \* \*

MOTION FOR EXTENSION OF TIME

Respondents, Jon P. Galley, Warden of the Western Correctional Institution, and J. Joseph Curran, Jr., Attorney General of the State of Maryland, by undersigned counsel, move, pursuant to Fed.R.Civ.P. 6(b)(1), for an extension of time, to and including February 28, 2006, within which to file a response to Petitioner Salvatore Spinnato's second motion to compel for the following reasons:

1. On January 26, 2006, Petitioner Spinnato filed a second motion to compel Respondents to provide certain documents that he believes Respondents are required to provide this Court. Respondents do not have the exhibits identified by Petitioner Spinnato, but have asked the Baltimore County State's Attorney's Office to check their records and provide such documents if they exist. Given these circumstances, Respondents need until February 28, 2006, to file an appropriate response to the motion.

2. This motion is not made for purposes of delay.

WHEREFORE, it is respectfully requested that this Honorable Court grant leave for Respondents to file a response to Petitioner Spinnato's motion to compel on or before February 28, 2006.

Respectfully submitted,

J. JOSEPH CURRAN, JR.  
Attorney General of Maryland

\_\_\_\_\_/s/\_\_\_\_\_  
EDWARD J. KELLEY  
Assistant Attorney General  
Bar No. 27039

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Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of February, 2006, a copy of the foregoing Motion for Extension of Time, which was electronically filed on February 8, 2006, was mailed, first class, postage prepaid, to Salvatore Spinnato, #272-280, Western Correctional Institution, 13800 McMullen Highway, Cumberland, Maryland 21502.

\_\_\_\_\_/s/\_\_\_\_\_  
EDWARD J. KELLEY  
Assistant Attorney General